

REMARKS

Claims 1-5, 7-14, 16-21, 29-30, 32 and 34 are currently pending in the present application. In the Notice of Allowance Office Action dated December 30, 2009 (“Office Action”), all these claims were allowed in accordance with an Examiner’s Amendment. With entry of this Amendment After Notice of Allowance, Applicants amend claim 10 without prejudice.

Examiner’s Amendment

Applicants appreciate the Examiner’s initiative and efforts in providing the Examiner’s Amendment to allow the pending claims in the Office Action.

Amendment After Notice of Allowance under 37 C.F.R. § 1.312

The amendment to claim 10 is needed to correct a translation error in claim 10. Specifically, claim 10 as pending recites “water-soluble,” which was an incorrect translation from claim 10 in the Japanese language International Application PCT/JP2004/018176. Instead, claim 10 in the subject application should recite “soluble” in English, as currently amended. For additional support, Applicants note similar claim language in allowed claims 12 and 13.

Amended claim 10 requires no additional search or examination because the amended claim language is similar to corresponding claim language in allowed claims 12 and 13.

Amended claim 10 is still patentable because the Examiner’s Reasons for Allowance in the Office Action dated December 30, 2009 focused on portions of claim 10 different from the currently amended claim language.

The amendment to claim 10 was not presented earlier because the translation error came to the Applicants’ attention after the Office Action dated December 30, 2009.

These remarks are in accordance with the practice detailed in MPEP § 714.16. Accordingly, Applicants respectfully request entry of the amendment.

Request for Citation of U.S. Patent Application Pub. No. 2001/0004898 A1 to Kamikawa et al.

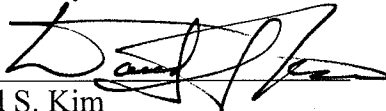
Applicants note with appreciation the courtesy extended by the Examiner in a telephone conversation initiated by the Examiner on December 12, 2009. In the telephone conversation, the Examiner brought U.S. Patent Application Pub. No. 2001/0004898 A1 to Kamikawa et al. ("Kamikawa") to the Applicants' attention. However, in the subsequent Office Action dated December 30, 2009, there was no mention of Kamikawa.

Based on the telephone conversation, Applicants understand that the Examiner considered Kamikawa relevant to the patentability of the allowed claims. Also, to provide an additional record in the prosecution history, Applicants respectfully request the Examiner to cite Kamikawa in a PTO-892 Notice of Reference Cited form.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Director to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 514312000400. However, the Director is not authorized to charge the cost of the issue fee to the Deposit Account.

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